

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE GEM GROUP, INC. d/b/a GEMLINE,)
Plaintiff,)
v.) Case No. 1:15-CV-12177-IT
HERSCHEL SUPPLY COMPANY LTD.,)
Defendant.)

**PARTIES' JOINT MOTION TO CONTINUE SCHEDULING
CONFERENCE**

Plaintiff Gem Group, Inc. ("Gem") and defendant, Herschel Supply Company Ltd. ("Herschel"), hereby jointly move that the Court continue the Scheduling Conference presently scheduled for February 22, 2016 to a date in March that is convenient for the Court. As grounds for this motion, the parties represent as follows:

1. As previously reported to the Court, the parties have agreed upon a settlement in principle of this dispute, pursuant to which a stipulation of dismissal of all claims alleged in this action will be filed. The parties have exchanged drafts of the documentation necessary to conclude their agreement and enable the filing of such a stipulation, and they had anticipated that the agreement would be finalized (and a stipulation of dismissal therefore would have been filed) in advance of the February 22 Scheduling Conference, thus obviating the need to go forward with that conference. Unfortunately, the process of finalizing the parties' settlement documentation has taken longer than the parties originally anticipated. The parties apologize to the Court for the inconvenience that this delay has caused it.

2. The parties are filing their Local Rule 16.1 Joint Statement concurrently herewith, and they are prepared to appear before the Court as scheduled on February 22 in order to conduct

the status conference that is presently on the Court's calendar. At the same time, the parties continue to believe that the formal resolution of their dispute is imminent, and they anticipate that the documentation of their settlement will be finalized over the next several business days. In these circumstances, the parties are prepared to proceed in whatever way the Court desires with respect to going forward with, or continuing, the scheduling conference on February 22.

By their attorneys

/s/ Michael A. Walsh

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Dated: February 19, 2016

CERTIFICATE OF SERVICE

I certify that, on February 19, 2016, this document (filed through the ECF system) will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Michael A. Walsh _____

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